

Exhibit 5

Declaration of Roger S. Penske

My name is Roger S. Penske, and I am the founder and Chairman of Penske Corporation. Team Penske is a banner for racing teams fielded by subsidiaries of Penske Corporation. The company first raced in 1966 at the 24 Hours of Daytona race. Over the years, the company and subsidiaries have raced cars in IndyCar, the NASCAR Cup Series, the IMSA Sportscar Championship, the FIA World Endurance Championship, and the Supercars Championship.

During and after attending college, I personally raced cars and did so until 1965 when I gave up racing to focus on a Chevrolet dealership I owned and then a truck rental and leasing business I purchased in 1969. Through hard work and good fortune, the business I founded, Penske Corporation, now holds investments in many racing enterprises

Team Penske began racing in NASCAR in 1972 and participated in NASCAR until 1977 when we decided to focus on other motorsports and sold assets to a buyer. Team Penske returned to NASCAR's Cup Series in 1991 and currently has three cars running full time. Team Penske has captured the last three NASCAR Cup Series Championships, with Joey Logano winning in 2022 and 2024 and Ryan Blaney winning in 2023. Team Penske operates out of a race shop in Mooresville, North Carolina. Team Penske's race shop supports Team Penske's NASCAR, IndyCar and sports car teams.

In 2015, Team Penske and other race teams collaborated with NASCAR with the idea of creating a new system for teams participating in the NASCAR Cup series. Through extensive negotiations, the Charter system was created for the 2016 Cup Series season. I believe that the Charter system has been beneficial because it delivered on the race teams' goal of creating long-term equity value. My understanding is that NASCAR Charter values have increased significantly in recent years. In addition, the Charter system delivered guaranteed entry into Cup Series races for Charter holders, which made it easier for teams to sell sponsorships, an important revenue source for race teams in the Cup Series, IndyCar, and all professional motorsports.

The 2016 Charter is subject to non-renewal at the end of 2024. All of the Charter holders entered into negotiations with NASCAR in 2022. Team Penske signed 2025 Charters for its three cars racing in the Cup Series. I signed the 2025 Charters because I felt that NASCAR was not going to move any further on their document and it was time for our team to go forward.

My belief in the value of the NASCAR Charter system is confirmed by the fact that, based on my experience with NASCAR's Charter system since 2016, I decided to create a Charter-type system in IndyCar. In 2024, the NTT INDYCAR SERIES and all teams racing full time in IndyCar entered into a charter agreement effective for the 2025 season. The IndyCar Charter has some similarities to the NASCAR Charter and I believe has brought value to our series.

Attempting to address team concerns with the cost to race in Cup Series races, NASCAR with feedback from the teams, introduced what is called Next Gen car. Since the Next Gen car began racing in 2022, Team Penske's Cup Series race car costs have been reduced due to a smaller number of race cars in the fleet and a lesser volume of parts replacements. In addition to cost efficiencies, the Next Gen car has enhanced on track racing for our team and certainly others.

I am presenting this declaration with the hope that the parties to the litigation can settle the litigation as soon as possible.

I am presenting this declaration voluntarily and of my own free will. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 1, 2025.



Roger S. Penske